

**REMARKS**

Claims 1-20 are pending in the present application and were rejected, and the rejection of these claims is respectfully traversed. In addition, the Examiner objected to claims 12-13. The specification, Abstract and claims 12 and 14-17 have been amended. No new matter is added by these amendments.

**I. Objections to the Specification, Abstract and Claims**

In the Office Action dated November 20, 2003, the Examiner objected to the underlining of the section headings in the specification. Applicants have amended the specification headings to remove the underlines.

In addition, the Examiner objected to the Abstract for containing the phrase "said changes." The Examiner also suggested that the Abstract have "proper language and format." Applicants have amended the Abstract according to the Examiner's suggestions.

Furthermore, the Examiner suggested that the terms "Motorola," "Intel," and "Pentium" should be capitalized. In response, Applicants have amended the specification to capitalize those terms.

The Examiner also objected to missing data regarding an application serial number and filing date, and Applicants have amended the specification accordingly. The Examiner objected to claim 12 because it ends with two periods and claim 13 because it is dependent from objected dependent claim 12. Applicants have amended claim 12 to remove a period.

**II. Claim Rejections Under 35 U.S.C. § 112**

Claim 14 and 15 were rejected under 35 U.S.C. § 112, second paragraph for claiming dependency from claim 10 as opposed to claim 11. Claims 14 and 15 have been amended to correct the typographical error.

**III. 35 U.S.C. § 102(b) Anticipation Rejection of Claims**

In the Office Action dated November 20, 2003, claims 1, 4-6, 9-11, 14-16 and 19-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by *Neeman et al.* (U.S. Patent No. 5,588,147). Applicants respectfully traverse the rejections to the claims.

Applicants respectfully traverse the rejection to claim 1 at least because *Neeman et al.* does not disclose “receiving a first change log corresponding to said first file tree *and a second change log corresponding to said second file tree,*” nor “reconciling said first and said second file trees using said first and said second set of said change logs.” (Emphasis added.) The cited reference *Neeman et al.* does not utilize two-way replication, *e.g.*, replication of a first file to a second and replication of the second file to the first file.

Claim 1 recites, for example, a method of reconciling changes made to a first file tree and a second file tree comprising receiving a first change log corresponding to said first file tree and a second change log corresponding to said second file tree. The claim recites determining a first set of changes to make to said first file tree using said second change log, and determining a second set of changes to make to said second file tree using said first change log. Furthermore, the claim recites reconciling said first and said second file trees using said first and said second set of said change logs.

With respect to the recitation in claim 1 of “receiving a first change log corresponding to said first file tree and a second change log corresponding to said second file tree,” the Examiner cites *Neeman et al.* at col. 1, ll. 43-44 and col. 2, ll. 2-3. These cited portions of *Neeman et al.* state “a first copy of a file is provided in one of the computer systems. A second copy of the file is provided in another of . . .” and “a first copy of a group of files is stored in the storage device of the first computer system. The second copy . . .” In this cited portion of *Neeman et al.*, there is no mention of a *change log*, and no mention of *two* change logs.

Additionally, *Neeman et al.* does not disclose “determining *a first set of changes* to make to said first file tree *using said second change log*,” and “determining *a second set of changes* to make to said second file tree *using said first change log*” (emphasis added) as recited, for example, in claim 1. With respect to these recitations, the Examiner cites col. 2, ll. 5-8 and col. 1, ll. 47-48, which state “[a]ny changes made to the first copy of the group of files are incrementally sent to the second computer system so that the changes may be made to the second copy of the group of files” and “[t]he reconciliation ensures that the second copy of the file incorporates any changes made to the first copy of the file.” These cited portions mention only changes made to the first copy being sent to a second copy but does not disclose the reverse, i.e., changes made to the *second* copy being sent to the *first* copy. Replication in *Neeman et al.* is one way and is not two-way replication, which is stated. *Neeman et al.* states “[d]uring replication, changes are propagated from one replica to another. *Replication is “one way”* in that the changes made to an initial copy of an object set are made to a second copy of the object set. There is no immediate reciprocal action to copy the changes made to the second copy of the object set to the first copy of the object set.” (Col. 8, ll. 43-48; emphasis added).

The portions of *Neeman et al.* cited with respect to these recitations (col. 2, ll. 5-8 and col. 1, ll. 47-48) also do not disclose change logs. At least for the reasons above, *Neeman et al.* does not disclose “receiving a first change log corresponding to a said first file tree and a second change log corresponding to a second file tree,” “determining a first set of changes to make to said first file tree using said second change log,” “determining a second set of changes to make to said second file tree using said first change log” nor “reconciling said first and said second file trees using said first and said second set of said change logs” as recited, for example, in claim 1. Consequently, Applicants respectfully request that the rejection of claim 1 be withdrawn. With respect to claims 2-5, these claims depend from claim 1 and are therefore patentable.

For reasons stated above with respect to claim 1, Applicants submit the rejection of independent claims 6, 11 and 16 should be withdrawn. With respect to claims 7-10, 12-15 and 17-20, those claims depend from claims 6, 11 and 16 respectively, and are therefore patentable at least for the same reasons.

#### **IV. 35 U.S.C. § 103 Obviousness Rejection of Claims**

Claims 2, 7, 12 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Neeman et al.* in view of *Pruett et al.* (U.S. Patent No. 5,778,389). Claims 3, 8, 13 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Neeman et al.* in view of *Pruett et al.*, and further in view of *Huang et al.* (U.S. Patent No. 6,343,299). Applicants respectfully traverse these rejections at least for the reasons discussed above.

**VI. Conclusion**

In view of the foregoing comments, Applicants respectfully submit that the present amendment places the above-referenced application in condition for allowance, and thus, a swift allowance is respectfully requested so that the application may swiftly pass to issue.

Respectfully submitted,

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Kimani P. Clark  
Registration No. 45,969

Customer No.: 26263  
Sonnenschein Nath & Rosenthal LLP  
P.O. Box 061080  
Wacker Drive Station  
Chicago, Illinois 60606-1080  
Telephone: 202/408-9214  
Facsimile: 312/876-7934